

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY WATSON,

Plaintiff,

-against-

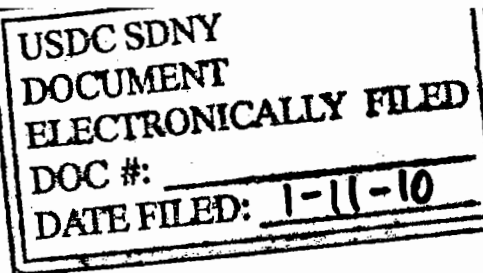
PAROLE OFFICER JOHN CIESLAK, JR.,  
SENIOR PAROLE OFFICER JOHN LOWE,  
and AREA SUPERVISOR FREDERICK FLOOD,

Defendants.

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DEBORAH A. BATTIS, United States District Judge.

This matter is before the Court upon a Report and Recommendation ("Report") of United States Magistrate Judge James C. Francis IV, which was filed December 3, 2009. The Report recommends that Defendants' motion to dismiss be DENIED with respect to Plaintiff's malicious prosecution claims relating to his September 2008 arrest and his Fourth Amendment claims regarding Officer Cieslak's early morning home visits. The Report further recommends that Defendants' motion to dismiss be GRANTED as to Plaintiff's remaining claims, with the exception of Plaintiff's false arrest claim relating to the September 2008 arrest, which Defendants have not challenged. (Report at 17.)

According to 28 U.S.C. § 636(b)(1)(C), "[w]ithin ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b)(2) (stating that "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may



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ADOPTION OF REPORT  
AND RECOMMENDATION

serve and file specific, written objections to the proposed findings and recommendations"). Despite being advised accordingly in Judge Francis's Report and Recommendation, to date, no objections to the Report have been filed.

Having reviewed the Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby

ORDERED AND ADJUDGED as follows:

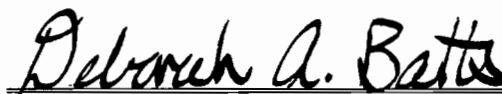
1. The Report and Recommendation, Docket Entry No. 26, of United States Magistrate Judge James C. Francis IV, dated December 3, 2009, be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

2. Defendants' Motion to Dismiss is GRANTED in part, and DENIED in part;

3. Defendant shall Answer within 30 days of the date of this Order.

SO ORDERED.

DATED: New York, New York  
January 8, 2010



Deborah A. Batts  
United States District